

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

UNITED STATES OF AMERICA)	
)	
V.)	CASE NO: 2:06-cr-108-MHT
)	
GARRETT ALBERT DYKES)	

UNOPPOSED MOTION TO CONTINUE SENTENCING

NOW COMES the Defendant, Garrett A. Dykes, by and through undersigned counsel, and respectfully moves this Court to continue the sentencing date of July 27, 2006, until September or a later date. In support of this Motion, defendant would show the following:

1. The Information in this matter was originally filed by Assistant U.S. Attorney Todd Brown, Esquire, on the basis of a plea agreement negotiated by Mr. Brown and undersigned defense counsel. Mr. Brown is presently out of the country, in Iraq, and is not expected to return until September, 2006.

2. Based on recent discussions with the U.S. Probation Officer assigned to this matter and with the recently-assigned Assistant U.S. Attorney, it appears that there may be questions concerning interpretation and/or the parties' understanding of the plea agreement in this matter. In addition, matters discussed in Mr. Brown's communication with local state prosecution authorities and/or in defense counsel's communication with state defense counsel may be relevant at sentencing.

3. Based on the foregoing, defendant requests that this matter be continued until Mr. Brown's return.

4. The recently-assigned prosecutor, Ms. Susan Redmond, Esquire, does not oppose this request.

5. Mr. Dykes is incarcerated in the Elmore County Jail, on previously pending state charges, and consents to this request.

6. Mr. Dykes will not be prejudiced by a continuance in this matter.

WHEREFORE, Defendant prays that this Unopposed Motion to Continue Sentencing be granted.

Respectfully submitted,

s/Christine A. Freeman

CHRISTINE A. FREEMAN

TN BAR NO.: 11892

Attorney for Mr. Dykes

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CERTIFICATE OF SERVICE

I hereby certify that on July 13, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

Todd Brown, Esquire
Susan Redmond, Esquire
Assistant United States Attorney
One Court Square, Suite 201
Montgomery, Alabama 36104

Respectfully submitted,

s/Christine A. Freeman
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